

with the privileges of the Senate: Now, therefore, be it

*Resolved*, That Mary Chiles, and any other employee from whom testimony may be required, are authorized to testify and to produce documents in the case of *State of Florida v. Kathleen Bush*, except concerning matters for which a privilege should be asserted.

SEC. 2. That the Senate Legal Counsel is authorized to represent Mary Chiles, and any other employee from whom testimony or document production may be required, in connection with *State of Florida v. Kathleen Bush*.

#### AMENDMENTS SUBMITTED

#### THE DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1997

#### NUNN (AND OTHERS) AMENDMENT NO. 4453

(Ordered to lie on the table.)

Mr. NUNN (for himself, Mr. LUGAR, and Mr. DOMENICI) submitted an amendment intended to be proposed by him to the bill (S. 1894) making appropriations for the Department of Defense for the fiscal year ending September 30, 1997, and for other purposes; as follows:

At the appropriate place in the bill, insert:

SEC. . In addition to amounts provided elsewhere in this act, \$150,000,000 is appropriated for defense against weapons of mass destruction, including domestic preparedness, interdiction of weapons of mass destruction and related materials, control and disposition of weapons of mass destruction and related materials threatening the United States, coordination of policy and countermeasures against proliferation of weapons of mass destruction, and miscellaneous related programs, projects, and activities as authorized by law: *Provided*, That the total amount available under the heading "Research, Development, Test and Evaluation, Defense-Wide" for the Joint Technology Insertion Program shall be \$2,523,000: *Provided further*, That the total amount appropriated under the heading "Research, Development, Test and Evaluation, Defense-Wide" is hereby reduced by \$12,000,000: *Provided further*, That the total amount appropriated under the heading "Operation and Maintenance, Defense-Wide" is hereby reduced by \$138,000,000.

#### NUNN AMENDMENTS NOS. 4454-4459

(Ordered to lie on the table.)

Mr. NUNN submitted six amendments intended to be proposed by him to the bill, S. 1894, supra; as follows:

#### AMENDMENT NO. 4454

At the appropriate place in the bill, insert the following new section:

SEC. . The total amount appropriated under the heading "Former Soviet Union Threat Reduction" is hereby increased by \$150,000,000: *Provided*, That the total amount appropriated under the heading "Operation and Maintenance, Defense-Wide" is hereby reduced by \$138,000,000: *Provided further*, That the total amount appropriated under the heading "Research, Development, Test and Evaluation, Defense-Wide" is hereby reduced by \$12,000,000.

#### AMENDMENT NO. 4455

At the appropriate place in the bill, insert the following new section:

SEC. . The total amount appropriated under the heading "Former Soviet Union Threat Reduction" is hereby increased by \$150,000,000: *Provided*, That the total amount appropriated under the heading "Operation and Maintenance, Defense-Wide" is hereby reduced by \$150,000,000.

#### AMENDMENT NO. 4456

At the appropriate place in the bill, insert the following new section:

SEC. . Of the amounts appropriated under the heading "Operation and Maintenance, Defense-Wide", \$150,000,000 is available only for matters related to defense against weapons of mass destruction: *Provided*, That the total amount available for other purposes under the heading "Operation and Maintenance, Defense-Wide" is hereby reduced by \$150,000,000.

#### AMENDMENT NO. 4457

At the appropriate place in the bill, insert the following new section:

SEC. . The total amount appropriated under the heading "Former Soviet Union Threat Reduction" is hereby increased by \$150,000,000.

#### AMENDMENT NO. 4458

At the appropriate place in the bill, insert the following new section:

SEC. . The total amount appropriated under the heading "Operation and Maintenance, Defense-Wide" is hereby increased by \$150,000,000.

#### AMENDMENT NO. 4459

At the appropriate place in the bill, insert the following new section:

SEC. . The total amount appropriated under the heading "Operation and Maintenance, Defense-Wide" is hereby reduced by \$150,000,000.

#### DORGAN AMENDMENT NO. 4460

(Ordered to lie on the table.)

Mr. DORGAN submitted an amendment intended to be proposed by him to the bill, S. 1894, supra; as follows:

On page 30, strike lines 12 through 13 and insert in lieu thereof: "\$8,890,092,000, to remain available for obligation until September 30, 1998: *Provided*, That, of the amount appropriated under this heading, not more than \$508,437,000 shall be available for national missile defense."

#### FEINSTEIN AMENDMENTS NOS. 4461-4462

(Ordered to lie on the table.)

Mrs. FEINSTEIN submitted two amendments intended to be proposed by her to the bill, S. 1894, supra; as follows:

#### AMENDMENT NO. 4461

On page 29, line 20, strike out "Forces." and insert in lieu thereof "Forces: *Provided further*, That of the funds available under this paragraph, \$18,000,000 shall be available for the Pulse Doppler Upgrade modification to the AN/SPS-48E radar system."

#### AMENDMENT NO. 4462

On page 29, line 10, strike out "1998." and insert in lieu thereof "1998: *Provided further*,

That of the funds available under this paragraph, \$4,000,000 shall be available for the procurement of a real-time, automatic cargo tracking and control system."

#### GRASSLEY AMENDMENT NO. 4463

(Ordered to lie on the table.)

Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill, S. 1894, supra; as follows:

On page 88, between lines 7 and 8, insert the following:

SEC. 8099. Funds appropriated by this Act may not be used for supporting more than 68 general officers on active duty in the Marine Corps.

#### PELL AMENDMENT NO. 4464

(Ordered to lie on the table.)

Mr. PELL submitted an amendment intended to be proposed by him to the bill, S. 1894, supra; as follows:

On page 88, between lines 7 and 8, insert the following:

SEC. 8099. Of the amount appropriated or otherwise made available for the Department of Defense under title IV of this Act under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY" for the National Oceanographic Partnership Program, there shall be available such funds as the Secretary of the Navy shall require for the establishment of the National Coastal Data Centers required by section 7901(c) of title 10, United States Code, as added by the National Defense Authorization Act for Fiscal Year 1997.

#### GRASSLEY AMENDMENT NO. 4465

(Ordered to lie on the table.)

Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill, S. 1894, supra; as follows:

On page 88, between lines 7 and 8, insert the following:

SEC. 8099. Funds appropriated by this Act may not be used for supporting more than 68 general officers on active duty in the Marine Corps until—

(i) the Inspector General of the Department of Defense—

(A) has conducted a comprehensive review of all headquarters within the department and all general and flag officer positions that involves—

(i) an evaluation of the structure of headquarters within the department and the general and flag officer positions in relation to past, current, and future changes in the force structure of the Armed Forces, including consideration of the increasing importance of joint headquarters since enactment of the Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the roles and missions of the headquarters in the headquarters structure; and

(ii) a determination of the adjustments in such headquarters and positions that are necessary to provide an appropriate relationship between the headquarters structure and the force structure and between the number of general and flag officer positions and the force structure; and

(B) has submitted to the Secretary of Defense a report on the results of the review, including the Inspector General's recommendations for eliminating any headquarters and general and flag officer positions that the Inspector General considers redundant or otherwise unnecessary;

(2) the Secretary of Defense—

(A) after considering the Inspector General's report (including the recommendations), has developed a plan, including a schedule, for a phased elimination of excess headquarters and general and flag officer positions; and

(B) has submitted the plan to Congress; and

(3) Congress has enacted a joint resolution the matter after the enacting clause states only the following: "Congress approves the plan for elimination of headquarters and general and flag officer positions in the Armed Forces that was submitted to Congress by the Secretary of Defense on . . .", the blank being filled in with the date on which the Secretary submits the report to Congress.

#### INOUE AMENDMENT NO. 4466

(Ordered to lie on the table.)

Mr. INOUE submitted an amendment intended to be proposed by him to the bill, S. 1894, supra; as follows:

On page 8, on line 15 after the words "Transaction Fund" insert the following:

"*Provided*, That from funds available for the Asia-Pacific Center for Security Studies, such sums as may be necessary may be made available to reimburse the cost of conferences, seminars, courses of instruction, or similar educational activities of the Asia-Pacific Center for Security Studies for military officers and civilian official of foreign nations if the Secretary of Defense determines that attendance by such personnel, without reimbursement, is in the national security interest of the United States".

#### STEVENS AMENDMENTS NOS. 4467-4477

(Ordered to lie on the table.)

Mr. STEVENS submitted 11 amendments intended to be proposed by him to the bill, S. 1894, supra; as follows:

##### AMENDMENT NO. 4467

On page 8, line 1, strike the number "\$17,700,859,000" and insert in lieu thereof "\$17,696,659,000".

##### AMENDMENT NO. 4468

On page 9, line 11, strike the number "\$9,953,142,000" and insert in lieu thereof "\$9,887,142,000".

##### AMENDMENT NO. 4469

On page 12, line 22, strike the number "\$1,069,957,000" and insert in lieu thereof "\$1,140,157,000".

##### AMENDMENT NO. 4470

On page 32, line 18, strike the number "\$10,256,108,000" and insert in lieu thereof "\$10,251,208,000".

##### AMENDMENT NO. 4471

On page 32, line 19, strike the number "\$9,936,638,000" and insert in lieu thereof "\$9,931,738,000".

##### AMENDMENT NO. 4472

On page 9, line 4, strike the number "\$17,331,309,000" and insert in lieu thereof "\$17,326,909,000".

##### AMENDMENT NO. 4473

On page 4, line 3, strike the number "\$17,021,810,000" and insert in lieu thereof "\$17,026,210,000".

##### AMENDMENT NO. 4474

On page 3, line 3, strike the number "\$16,943,581,000" and insert in lieu thereof "\$16,948,481,000".

#### AMENDMENT NO. 4475

On page 32, line 18, strike the number "\$10,256,108,000" and insert in lieu thereof "\$10,251,208,000".

On page 32, line 19, strike the number "\$9,936,638,000" and insert in lieu thereof "\$9,931,738,000".

On page 9, line 4, strike the number "\$17,331,309,000" and insert in lieu thereof "\$17,326,909,000".

On page 3, line 3, strike the number "\$16,943,581,000" and insert in lieu thereof "\$16,948,481,000".

On page 4, line 3, strike the number "\$17,021,810,000" and insert in lieu thereof "\$17,026,210,000".

#### AMENDMENT NO. 4476

On page 26, line 11, before the period, insert:

"*Provided*, That of the funds appropriated under this heading, \$11,500,000 shall be made available only for modifications to B-52 bomber aircraft".

#### AMENDMENT NO. 4477

On page 88, between lines 7 and 8, insert the following:

SEC. 8099. (a) Of the amounts appropriated or otherwise made available by this Act for the Department of the Air Force, \$2,000,000 shall be available to provide comprehensive care and rehabilitation services to children with disabilities who are dependents of members of the Armed Forces at Lakeland Air Force Base, Texas.

(b) Subject to subsection (c), the Secretary of the Air Force shall grant the funds available under subsection (a) to the Children's Association for Maximum Potential (CAMP) for use by the association to defray the costs of designing and constructing the facility referred to in subsection (a).

(c)(1) The Secretary may not make a grant of funds under subsection (b) until the Secretary and the association enter into an agreement under which the Secretary leases to the association the facility to be constructed using the funds.

(2)(A) The term of the lease under paragraph (1) may not be less than 25 years.

(B) As consideration for the lease of the facility, the association shall assume responsibility for the operation and maintenance of the facility, including the costs of such operation and maintenance.

(3) The Secretary may require such additional terms and conditions in connection with the lease as the Secretary considers appropriate to protect the interests of the United States.

#### CRAIG (AND KEMPTHORNE) AMENDMENT NO. 4478

(Ordered to lie on the table.)

Mr. STEVENS (for Mr. CRAIG, for himself, and Mr. KEMPTHORNE) submitted an amendment intended to be proposed by them to the bill, S. 1894, supra; as follows:

Before the period on page 20, line 29, insert: "*Provided further*, That of the funds appropriated under this heading, \$2,000,000 shall be available for titanium processing technology".

#### HELMS AMENDMENT NO. 4479

(Ordered to lie on the table.)

Mr. STEVENS (for Mr. HELMS) submitted an amendment intended to be proposed by him to the bill, S. 1894, supra; as follows:

On page 9, line 22, before the period, insert: "*Provided further*, That of the funds appro-

priated under this heading, \$1,000,000 shall be made available, by grant or other transfer, to the Harnett County School Board, Lillington, North Carolina, for use by the school board for the education of dependents of members of the Armed Forces and employees of the Department of Defense located at Fort Bragg and Pope Air Force Base, North Carolina".

#### SPECTER AMENDMENT NO. 4480

(Ordered to lie on the table.)

Mr. STEVENS (for Mr. SPECTER) submitted an amendment intended to be proposed by him to the bill, S. 1894, supra; as follows:

On page 29, line 20, before the period, insert: "*Provided further*, That of the funds appropriated under this heading \$46,600,000 shall be made available only for the Inter-cooled Recuperated Gas Turbine Engine program".

#### STEVENS AMENDMENT NO. 4481

(Ordered to lie on the table.)

Mr. STEVENS submitted an amendment intended to be proposed by him to the bill, S. 1894, supra; as follows:

On page 8, line 15, before the period, insert: "*Provided*, That advance billing for services provided or work performed by the Navy's defense business operating funds activities is prohibited; *Provided further*, That of the funds appropriated under this heading, \$2,976,000,000 shall be available only for depot maintenance activities and programs, and \$989,700,000 shall be available only for real property maintenance activities".

#### LIEBERMAN AMENDMENT NO. 4482

(Ordered to lie on the table.)

Mr. STEVENS (for Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill, S. 1894, supra; as follows:

On page 30, line 13, before the period, insert: "*Provided*, That of the funds appropriated under this heading, \$56,200,000 shall be available for the Corps Surface-to-Air Missile (CORPS SAM) program and \$515,743,000 shall be available for the Other Theater Missile Defense/Follow-On TMD Activities program".

#### KEMPTHORNE (AND CRAIG) AMENDMENT NO. 4483

(Ordered to lie on the table.)

Mr. SEVENS (for Mr. KEMPTHORNE, for himself, and Mr. CRAIG) submitted an amendment intended to be proposed by them to the bill, S. 1894, supra; as follows:

On page 33, on line 16 before the period, insert: "*Provided*, That of the funds provided under this heading for Research, development, test and evaluation, \$3,000,000 shall only be for the accelerated development of advanced sensors for the Army's Mobile Munitions Assessment System".

#### STEVENS AMENDMENTS NOS. 4484-4488

(Ordered to lie on the table.)

Mr. STEVENS submitted five amendments intended to be proposed by him to the bill, S. 1894, supra; as follows:

##### AMENDMENT NO. 4484

On page 8, line 3 before the period, insert: "*Provided*, That funds appropriated under

this heading for supervision and administration costs for facilities maintenance and repair, minor construction, or design projects may be obligated at the time the reimbursable order is accepted by the performing activity: *Provided further*, That for the purpose of this section, supervision and administration costs includes all in-house government costs".

## AMENDMENT NO. 4485

On page 8, line 15 before the period, insert: "*Provided*, That funds appropriated under this heading for supervision and administration costs for facilities maintenance and repair, minor construction, or design projects may be obligated at the time the reimbursable order is accepted by the performing activity: *Provided further*, That for the purpose of this section, supervision and administration costs includes all in-house government costs".

## AMENDMENT NO. 4486

On page 8, line 19 before the period, insert: "*Provided*, That funds appropriated under this heading for supervision and administration costs for facilities maintenance and repair, minor construction, or design projects may be obligated at the time the reimbursable order is accepted by the performing activity: *Provided further*, That for the purpose of this section, supervision and administration costs includes all in-house government costs".

## AMENDMENT NO. 4487

On page 9, line 6 before the period, insert: "*Provided*, That funds appropriated under this heading for supervision and administration costs for facilities maintenance and repair, minor construction, or design projects may be obligated at the time the reimbursable order is accepted by the performing activity: *Provided further*, That for the purpose of this section, supervision and administration costs includes all in-house government costs".

## AMENDMENT NO. 4488

At an appropriate place in the bill, insert: SEC. . Funds appropriated in title II of this Act for supervision and administration costs for facilities maintenance and repair, minor construction, or design projects may be obligated at the time the reimbursable order is accepted by the performing activity: *Provided*, That for the purpose of this section, supervision and administration costs includes all in-house government costs.

## BINGAMAN AMENDMENT NO. 4489

(Ordered to lie on the table.)

Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill, S. 1894, supra; as follows:

On page 70, line 8, strike out "\$1,218,000,000" and insert in lieu thereof "\$1,118,000,000".

BINGAMAN (AND OTHERS)  
AMENDMENT NO. 4490

(Ordered to lie on the table.)

Mr. BINGAMAN (for himself, Mr. DOMENICI, and Mr. SANTORUM) submitted an amendment intended to be proposed by them to the bill, S. 1894, supra; as follows:

On page 30, line 13, insert before the period the following: "*Provided*, That, of such amount, \$10,000,000 is available for the United States-Japan Management Training Program".

## HARKIN AMENDMENTS NOS. 4491-4492

(Ordered to lie on the table.)

Mr. HARKIN submitted two amendments intended to be proposed by him to the bill, S. 1894, supra; as follows:

## AMENDMENT NO. 4491

On page 88, between lines 7 and 8, insert the following:

SEC. 8099. None of the funds appropriated or otherwise made available for the Department of Defense by this Act may be obligated or expended to pay a contractor under a contract with the Department for any costs incurred by the contractor when it is made known to the Federal official having authority to obligate or expend such funds that such costs are restructuring costs associated with a business combination that were incurred on or after August 15, 1994.

## AMENDMENT NO. 4492

On page 88, between lines 7 and 8, insert the following:

SEC. 8099. (a)(1) Not later than February 1, 1997, the Comptroller General shall, in consultation with the Inspector General of the Department of Defense and the Director of the Office of Management and Budget, submit to Congress a report which shall set forth recommendations regarding the revisions of statute or regulation necessary—

(A) to assure that the amount paid by the Department of Defense for restructuring costs associated with a business combination does not exceed the expected net financial benefit to the Federal Government of the business combination;

(B) to assure that such expected net financial benefit accrues to the Federal Government; and

(C) in the event that the amount paid exceeds the actual net financial benefit, to permit the Federal Government to recoup the difference between the amount paid and the actual net financial benefit.

(2) For purposes of determining the net financial benefit to the Federal Government of a business combination under this subsection, the Comptroller General shall utilize a 5-year time period and take into account all costs anticipated to be incurred by the Federal Government as a result of the business combination, including costs associated with the payment of unemployment compensation and costs associated with the retraining of workers.

(b) No funds appropriated or otherwise made available for the Department of Defense by this Act may be obligated or expended to process or pay any claim for restructuring costs associated with a business combination under the following:

(1) Any contract, advance agreement, or novation agreement entered into on or after July 12, 1996.

(2) Any contract, advance agreement, or novation agreement entered into before that date unless the contract or agreement specifies that payment for costs associated with a business combination shall be made under the contract using funds appropriated or otherwise made available for the Department by this Act.

## HELMS AMENDMENT NO. 4493

(Ordered to lie on the table.)

Mr. STEVENS (for Mr. HELMS) submitted an amendment intended to be proposed by him to the bill, S. 1894, supra; as follows:

On page 9, line 22, before the period, insert: "*Provided further*, That of the funds appropriated under this heading, \$1,000,000 shall be

made available, by grant or other transfer, to the Harnett County School Board, Lillington, North Carolina, for use by the school board for the education of dependents of members of the Armed Forces and employees of the Department of Defense located at Fort Bragg and Pope Air Force Base, North Carolina".

## SIMON AMENDMENT NO. 4494

(Ordered to lie on the table.)

Mr. SIMON submitted an amendment intended to be proposed by him to the bill, S. 1894, supra; as follows:

On page 35, line 18, before the period, insert the following: "*Provided*, That any individual accepting a scholarship or fellowship from this program agrees to work for and make their language skills available to any agency or office of the Federal Government having national security responsibilities, unless the award recipient demonstrates, in accordance with guidelines developed by the Secretary, that no such position is available in which case the recipient may work in the field of higher education in a discipline relating to the foreign country, foreign language, area study or international field of study for which the scholarship or fellowship was awarded, for a period specified by the Secretary".

## BRYAN AMENDMENTS NOS. 4495-4508

(Ordered to lie on the table.)

Mr. BRYAN submitted 14 amendments intended to be proposed by him to the bill, S. 1894, supra; as follows:

## AMENDMENT NO. 4495

On page 30, line 1, strike "\$14,778,540,000" and insert "\$10,778,540,000".

## AMENDMENT NO. 4496

On page 29, line 16, strike "\$8,067,543,000" and insert "\$6,067,543,000".

## AMENDMENT NO. 4497

On page 30, line 1, strike "\$14,778,540,000" and insert "\$11,778,540,000".

## AMENDMENT NO. 4498

On page 29, line 16, strike "\$8,067,543,000" and insert "\$7,067,543,000".

## AMENDMENT NO. 4499

On page 21, line 10, strike "\$3,295,486,000" and insert "\$2,295,486,000".

## AMENDMENT NO. 4500

On page 21, line 10, strike "\$3,295,486,000" and insert "\$2,795,486,000".

## AMENDMENT NO. 4501

On page 22, line 3, strike "\$7,239,704,000" and insert "\$5,239,704,000".

## AMENDMENT NO. 4502

On page 22, line 3, strike "\$7,239,704,000" and insert "\$6,239,704,000".

## AMENDMENT NO. 4503

On page 26, line 10, strike "\$6,630,370,000" and insert "\$4,630,370,000".

## AMENDMENT NO. 4504

On page 27, line 19, strike "\$5,577,787,000" and insert "\$3,577,787,000".

## AMENDMENT NO. 4505

On page 27, line 19, strike "\$5,577,787,000" and insert "\$4,577,787,000".

## AMENDMENT NO. 4506

On page 23, line 19, strike "\$3,909,072,000" and insert "\$2,509,072,000".

## AMENDMENT NO. 4507

On page 23, line 19, strike "\$3,909,072,000" and insert "\$2,909,072,000".

## AMENDMENT NO. 4508

On page 26, line 10, strike "\$6,630,370,000" and insert "\$5,630,370,000".

## GRAMM AMENDMENTS NOS. 4509–4510

(Ordered to lie on the table.)

Mr. GRAMM submitted two amendments intended to be proposed by him to the bill, S. 1894, supra; as follows:

## AMENDMENT NO. 4509

At the appropriate place, insert the following:

**SEC. . PLANS FOR MEDICARE SUBVENTION DEMONSTRATION PROGRAMS.**

(a) PROGRAM FOR ENROLLMENT IN TRICARE MANAGED CARE OPTION.—(1) Not later than September 12, 1996, the Secretary of defense and the Secretary of Health and Human Services shall jointly submit to Congress and the President a report that sets forth a specific plan and the Secretaries' recommendations regarding the establishment of a demonstration program under which—

(A) military retirees who are eligible for medicare are permitted to enroll in the managed care option of the TRICARE program; and

(B) the Secretary of Health and Human Services reimburses the Secretary of Defense from the medicare program on a capitated basis for the costs of providing health care services to military retirees who enroll.

(2) The report shall include the following:

(A) The number of military retirees projected to participate in the demonstration program and the minimum number of such participants necessary to conduct the demonstration program effectively.

(B) A plan for notifying military retirees of their eligibility for enrollment in the demonstration program and for any other matters connected with enrollment.

(C) A recommendation for the duration of the demonstration program.

(D) A recommendation for the geographic regions in which the demonstration program should be conducted.

(E) The appropriate level of capitated reimbursement, and a schedule for such reimbursement, from the medicare program to the Department of Defense for health care services provided enrollees in the demonstration program.

(F) An estimate of the amounts to be allocated by the Department for the provision of health care services to military retirees eligible for medicare in the regions in which the demonstration program is proposed to be conducted in the absence of the program and an assessment of revisions to such allocation that would result from the conduct of the program.

(G) An estimate of the cost to the Department and to the medicare program of providing health care services to medicare eligible military retirees who enroll in the demonstration program.

(H) An assessment of the likelihood of cost shifting among the Department and the medicare program under the demonstration program.

(I) A proposal for mechanisms for reconciling and reimbursing any improper payments among the Department and the medicare program under the demonstration program.

(J) A methodology for evaluating the demonstration program, including cost analyses.

(K) As assessment of the extent to which the Tricare program is prepared to meet requirements of the medicare program for purposes of the demonstration program and the provisions of law or regulation that would have to be waived in order to facilitate the carrying out of the demonstration program.

(L) An assessment of the impact of the demonstration program on military readiness.

(M) Contingency plans for the provision of health care services under the demonstration program in the event of the mobilization of health care personnel.

(N) A recommendation of the reports that the Department and the Department of Health and Human Services should submit to Congress describing the conduct of the demonstration program.

(b) FEASIBILITY STUDY FOR PROGRAM FOR ENROLLMENT IN TRICARE FEE-FOR-SERVICE OPTION.—Not later than January 10, 1997, the Secretary of Defense and the Secretary of Health and Human Services shall jointly submit to Congress and the President a report on the feasibility and advisability of expanding the demonstration program referred to in subsection (a) so as to provide the Department with reimbursement from the medicare program on a fee-for-service basis for health care services provided medicare-eligible military retirees who enroll in the demonstration program. The report shall include a proposal for the expansion of the program if the expansion is determined to be advisable.

(c) APPROPRIATIONS.—\$75,000,000 shall be made available to carry out the demonstration program referred to in subsection (a) if Congress authorizes the program by the end of the Second Session of the 104th Congress.

## AMENDMENT NO. 4510

At the appropriate place, insert the following:

**SEC. . PLANS FOR MEDICARE SUBVENTION DEMONSTRATION PROGRAMS.**

(a) PROGRAM FOR ENROLLMENT IN TRICARE MANAGED CARE OPTION.—(1) Not later than September 6, 1996, the Secretary of Defense and the Secretary of Health and Human Services shall jointly submit to Congress and the President a report that sets forth a specific plan and the Secretaries' recommendations regarding the establishment of a demonstration program under which—

(A) military retirees who are eligible for medicare are permitted to enroll in the managed care option of the Tricare program; and

(B) the Secretary of Health and Human Services reimburses the Secretary of Defense from the medicare program on a capitated basis for the costs of providing health care services to military retirees who enroll.

(2) The report shall include the following:

(A) The number of military retirees projected to participate in the demonstration program and the minimum number of such participants necessary to conduct the demonstration program effectively.

(B) A plan for notifying military retirees of their eligibility for enrollment in the demonstration program and for any other matters connected with enrollment.

(C) A recommendation for the duration of the demonstration program.

(D) A recommendation for the geographic regions in which the demonstration program should be conducted.

(E) The appropriate level of capitated reimbursement, and a schedule for such reimbursement, from the medicare program to the Department of Defense for health care services provided enrollees in the demonstration program.

(F) An estimate of the amounts to be allocated by the Department for the provision of

health care services to military retirees eligible for medicare in the regions in which the demonstration program is proposed to be conducted in the absence of the program and an assessment of revisions to such allocation that would result from the conduct of the program.

(G) An estimate of the cost to the Department and to the medicare program of providing health care services to medicare eligible military retirees who enroll in the demonstration program.

(H) An assessment of the likelihood of cost shifting among the Department and the medicare program under the demonstration program.

(I) A proposal for mechanisms for reconciling and reimbursing any improper payments among the Department and the medicare program under the demonstration program.

(J) A methodology for evaluating the demonstration program, including cost analyses.

(K) An assessment of the extent to which the Tricare program is prepared to meet requirements of the medicare program for purposes of the demonstration program and the provisions of law or regulation that would have to be waived in order to facilitate the carrying out of the demonstration program.

(L) An assessment of the impact of the demonstration program on military readiness.

(M) Contingency plans for the provision of health care services under the demonstration program in the event of the mobilization of health care personnel.

(N) A recommendation of the reports that the Department and the Department of Health and Human Services should submit to Congress describing the conduct of the demonstration program.

(b) FEASIBILITY STUDY FOR PROGRAM FOR ENROLLMENT IN TRICARE FEE-FOR-SERVICE OPTION.—Not later than January 3, 1997, the Secretary of Defense and the Secretary of Health and Human Services shall jointly submit to Congress and the President a report on the feasibility and advisability of expanding the demonstration program referred to in subsection (a) so as to provide the Department with reimbursement from the medicare program on a fee-for-service basis for health care services provided medicare-eligible military retirees who enroll in the demonstration program. The report shall include a proposal for the expansion of the program if the expansion is determined to be advisable.

(c) APPROPRIATIONS.—\$75,000,000 shall be made available to carry out the demonstration program referred to in subsection (a) if Congress authorizes the program by the end of the Second Session of the 104th Congress.

## CHAFEE AMENDMENT NO. 4511

(Ordered to lie on the table.)

Mr. STEVENS (for Mr. CHAFEE) submitted an amendment intended to be proposed by him to the bill, S. 1894, supra; as follows:

Before the period on page 30, line 13, insert: "Provided further, That of the funds appropriated under this heading, \$3,000,000 shall be available for a defense technology transfer pilot program".

NUNN (AND OTHERS)  
AMENDMENTS NOS. 4512–4513

(Ordered to lie on the table.)

Mr. NUNN (for himself, Mr. LUGAR, Mr. DOMENICI, and Mr. HARKIN) submitted two amendments intended to be proposed by them to the bill, S. 1894, supra; as follows:

## AMENDMENT NO. 4512

At the appropriate place in the bill, insert:

SEC. . In addition to amounts provided elsewhere in this act, \$150,000,000 is appropriated for defense against weapons of mass destruction, including domestic preparedness, interdiction of weapons of mass destruction and related materials, control and disposition of weapons of mass destruction and related materials threatening the United States, coordination of policy and countermeasures against proliferation of weapons of mass destruction, and miscellaneous related programs, projects, and activities as authorized by law: *Provided*, That the total amount available under the heading "Research, Development, Test and Evaluation, Defense-Wide" for the Joint Technology Insertion Program shall be \$2,523,000: *Provided further*, That the total amount appropriated under the heading "Research, Development, Test and Evaluation, Defense-Wide" is hereby reduced by \$12,000,000: *Provided further*, That the total amount appropriated under the heading "Operation and Maintenance, Defense-Wide" is hereby reduced by \$138,000,000.

## AMENDMENT NO. 4513

On page 17, line 24, strike out "\$327,900,000" and insert in lieu thereof "\$477,900,000".

On page 9, line 11, strike out \$9,953,142,000" and insert in lieu thereof "\$9,815,142,000".

On page 30, line 12, strike out "\$9,190,092,000" and insert in lieu thereof "\$9,178,092,000".

## NUNN AMENDMENTS NOS. 4514-4522

(Ordered to lie on the table.)

Mr. NUNN submitted nine amendments intended to be proposed by him to the bill, S. 1894, supra; as follows:

## AMENDMENT NO. 4514

On page 17, line 24, strike out "\$327,900,000" and insert in lieu thereof "\$477,900,000".

## AMENDMENT NO. 4515

On page 9, line 11, strike out "\$9,953,142,000" and insert in lieu thereof "\$9,815,142,000".

## AMENDMENT NO. 4516

On page 30, line 12, strike out "\$9,190,092,000" and insert in lieu thereof "\$9,178,092,000".

## AMENDMENT NO. 4517

At the appropriate place in the bill, insert the following new section:

SEC. . The total amount appropriated under the heading "Former Soviet Union Threat Reduction" is hereby increased by \$150,000,000; *Provided*, That the total amount appropriated under the heading "Operation and Maintenance, Defense-Wide" is hereby reduced by \$138,000,000; *Provided further*, That the total amount appropriated under the heading "Research, Development, Test and Evaluation, Defense-Wide" is hereby reduced by \$12,000,000.

## AMENDMENT NO. 4518

At the appropriate place in the bill, insert the following new section:

SEC. . The total amount appropriated under the heading "Former Soviet Union Threat Reduction" is hereby increased by \$150,000,000; *Provided*, That the total amount appropriated under the heading "Operation and Maintenance, Defense-Wide" is hereby reduced by \$150,000,000.

## AMENDMENT NO. 4519

At the appropriate place in the bill, insert the following new section:

SEC. . Of the amounts appropriated under the heading "Operation and Maintenance, Defense-Wide", \$150,000,000 is available only for matters related to defense against weapons of mass destruction; *Provided*, That the total amount available for other purposes under the heading "Operation and Maintenance, Defense-Wide" is hereby reduced by \$150,000,000.

## AMENDMENT NO. 4520

At the appropriate place in the bill, insert the following new section:

SEC. . The total amount appropriated under the heading "Former Soviet Union Threat Reduction" is hereby increased by \$150,000,000.

## AMENDMENT NO. 4521

At the appropriate place in the bill, insert the following new section:

SEC. . The total amount appropriated under the heading "Operation and Maintenance, Defense-Wide" is hereby increased by \$150,000,000.

## AMENDMENT NO. 4522

At the appropriate place in the bill, insert the following new section:

SEC. . The total amount appropriated under the heading "Operation and Maintenance, Defense-Wide" is hereby reduced by \$150,000,000.

## D'AMATO AMENDMENT NO. 4523

(Ordered to lie on the table.)

Mr. D'AMATO submitted an amendment intended to be proposed by him to the bill, S. 1894, supra; as follows:

On page 88, between lines 7 and 8, insert the following:

SEC. 8099. None of the unobligated funds made available before the date of enactment of this Act for activities under title III of the Defense Production Act of 1950 (50 U.S.C. App. 2091 et seq.) may be expended until all such funds available on the day before the date of enactment of this Act to carry out the aluminum metal matrix composite program (approved as recorded in the purchases, purchase commitments, and cost sharing letter and notification of the President dated October 5, 1995) are fully obligated for such purchases, purchase commitments, and cost sharing arrangement for discontinuously reinforced aluminum.

## BUMPERS (AND OTHERS)

## AMENDMENTS NOS. 4524-4526

(Ordered to lie on the table.)

Mr. BUMPERS (for himself, Mr. FEINGOLD, and Mr. KOHL) submitted three amendments intended to be proposed by them to the bill, S. 1894, supra; as follows:

## AMENDMENT NO. 4524

On page 22, strike lines 3 through 4, and insert in lieu thereof the following: "\$5,394,948,000, to remain available for obligation until September 30, 1999: *Provided*, That no funds provided under this heading shall be expended or obligated for F/A-18E/F aircraft."

## AMENDMENT NO. 4525

On page 22, strike lines 3 through 4, and insert in lieu thereof the following: "\$6,372,948,000, to remain available for obligation until September 30, 1999: *Provided*, That of the funds made available under this heading \$1,467,000,000 shall be made available for procurement of 36 F/A-18C/D aircraft, and no funds shall be expended or obligated for F/A-18E/F aircraft."

## AMENDMENT NO. 4526

On page 22, strike lines 3 through 4, and insert in lieu thereof the following: "\$7,005,704,000, to remain available for obligation until September 30, 1999: *Provided*, That of the funds made available under this heading, no more than \$255,000,000 shall be expended or obligated for F/A-18C/D aircraft."

## KEMPTHORNE AMENDMENT NO. 4527

(Ordered to lie on the table.)

Mr. STEVENS (for Mr. KEMPTHORNE) submitted an amendment intended to be proposed by him to the bill, S. 1894, supra; as follows:

On page 33, on line 16 before the period, insert: "": *Provided*, That of the funds provided under this heading for Research, development, test and evaluation, \$3,000,000 shall only be for the accelerated development of advanced sensors for the Army's Mobile Munitions Assessment System".

## FRAHM AMENDMENT NO. 4528

(Ordered to lie on the table.)

Mrs. FRAHM submitted an amendment intended to be proposed by her to the bill, S. 1894, supra; as follows:

At the appropriate place, insert the following:

None of the funds provided for the purchase of the T-39N may be obligated until the Under Secretary of Defense for Acquisition certifies to the defense committees that the contract was awarded on the basis of and following a full and open competition consistent with current federal acquisition statutes.

## WELLSTONE AMENDMENTS NOS. 4529-4530

(Ordered to lie on the table.)

Mr. WELLSTONE submitted two amendments intended to be proposed by him to the bill, S. 1894, supra; as follows:

## AMENDMENT NO. 4529

On page 35, between lines 20 and 21, insert the following:

SEC. 8000. (a) Notwithstanding any other provision of this Act, the total amount appropriated by this Act is \$243,406,197,000.

## AMENDMENT NO. 4530

On page 35, between lines 20 and 21, insert the following:

SEC. 8000. (a) Notwithstanding any other provision of this Act, the total amount appropriated by this Act is \$243,406,197,000.

(b) The Secretary of Defense shall allocate reductions in appropriations under subsection (a) so as not to jeopardize the military readiness of the Armed Forces or the quality of life of Armed Forces personnel.

## LEVIN AMENDMENTS NOS. 4531-4533

(Ordered to lie on the table.)

Mr. LEVIN submitted three amendments intended to be proposed by him to the bill, S. 1894, supra; as follows:

## AMENDMENT NO. 4531

On page 30, line 12, strike out "\$9,190,092,000" and insert in lieu thereof "\$9,238,092,000".

## AMENDMENT NO. 4532

On page 26, line 10, strike out "\$6,630,370,000" and insert in lieu thereof "\$6,582,370,000".

## AMENDMENT NO. 4533

On page 26, line 10, strike out "\$6,630,370,000" and insert in lieu thereof "\$6,582,370,000".

On page 30, line 12, strike out "\$9,190,092,000" and insert in lieu thereof "\$9,238,092,000".

On page 88, between lines 6 and 7, insert the following:

"SEC. 8099. None of the funds appropriated in title III of this Act may be obligated or expended for more than six new production F-16 aircraft.

## MURKOWSKI AMENDMENT NO. 4534

(Ordered to lie on the table.)

Mr. MURKOWSKI submitted an amendment intended to be proposed by him to the bill, S. 1894, supra; as follows:

On page 88, between lines 7 and 8, insert the following:

SEC. 8099. Not later than six months after the date of the enactment of this Act, the Secretary of the Air Force shall submit to Congress a cost-benefit analysis of consolidating the ground station infrastructure of the Air Force that supports polar orbiting satellites.

## REID AMENDMENTS NOS. 4535-4544

(Ordered to lie on the table.)

Mr. REID submitted 10 amendments intended to be proposed by him to the bill, S. 1894, supra; as follows:

## AMENDMENT NO. 4535

On page 19, line 22, strike out "\$1,449,714,000" and insert in lieu thereof "\$1,226,014,000".

## AMENDMENT NO. 4536

On page 19, line 22, strike out "\$1,449,714,000" and insert in lieu thereof "\$1,287,014,000".

## AMENDMENT NO. 4537

On page 19, line 22, strike out "\$1,449,714,000" and insert in lieu thereof "\$1,322,514,000".

## AMENDMENT NO. 4538

On page 19, line 22, strike out "\$1,449,714,000" and insert in lieu thereof "\$1,342,514,000".

## AMENDMENT NO. 4539

On page 19, line 22, strike out "\$1,449,714,000" and insert in lieu thereof "\$1,392,514,000".

## AMENDMENT NO. 4540

On page 25, line 19, strike out "\$660,507,000" and insert in lieu thereof "\$565,507,000".

## AMENDMENT NO. 4541

On page 25, line 19, strike out "\$660,507,000" and insert in lieu thereof "\$590,507,000".

## AMENDMENT NO. 4542

On page 25, line 19, strike out "\$660,507,000" and insert in lieu thereof "\$630,507,000".

## AMENDMENT NO. 4543

On page 25, line 19, strike out "\$660,507,000" and insert in lieu thereof "\$650,507,000".

## AMENDMENT NO. 4544

On page 25, line 19, strike out "\$660,507,000" and insert in lieu thereof "\$655,507,000".

## FEINGOLD (AND OTHERS)

## AMENDMENTS NOS. 4545-4547

(Ordered to lie on the table.)

Mr. FEINGOLD (for himself, Mr. BUMPERS, and Mr. KOHL) submitted three amendments intended to be proposed by them to the bill, S. 1894, supra; as follows:

## AMENDMENT NO. 4545

On page 88, between lines 7 and 8, insert the following:

SEC. 8099. (a)(1) Not later than March 30, 1997, the Secretary of Defense shall submit to the congressional defense committees a report on the F/A-18E/F aircraft program.

(2) The report shall contain the following:

(A) A review of the F/A-18E/F aircraft program.

(B) An analysis and estimate of the production costs of the program for the total number of aircraft realistically expected to be procured at each of three annual production rates as follows:

(i) 18 aircraft.

(ii) 24 aircraft.

(iii) 36 aircraft.

(C) A comparison of the costs and benefits of the program with the costs and benefits of the F/A-18C/D aircraft program taking into account the operational combat effectiveness of the aircraft.

(b)(1) None of the funds appropriated or otherwise made available by this Act for the procurement of F/A-18E/F aircraft may be obligated or expended for the procurement of such aircraft until the end of the 30-day period beginning on the date on which the Defense Acquisition Board makes the milestone decision for the F/A-18E/F program to enter into low-rate initial production.

(2) If the Secretary of Defense has not submitted the report required by subsection (a) by the end of the period referred to in paragraph (1), not more than 90 percent of the funds appropriated or otherwise made available by this Act for the procurement of F/A-18E/F aircraft may be obligated or expended for the procurement of such aircraft after the period until the date that is 45 days after the date on which the congressional defense committees receive the report.

(c) In this section, the term "congressional defense committees" means the following:

(1) The Committees on Appropriations and Armed Services of the Senate.

(2) The Committees on Appropriations and National Security of the House of Representatives.

(d) Not later than 30 days after the Secretary of Defense has submitted the report required by subsection (a), the Comptroller General of the United States shall submit to the congressional defense committees an analysis of the report submitted by the Secretary.

(e) None of the funds appropriated or otherwise made available by this Act for the procurement of F/A-18E/F aircraft may be obligated or expended for the procurement of such aircraft if the Congress within the forty-five calendar days after receiving the report required by subsection (a) enacts a joint resolution prohibiting the obligation or expenditure of funds for such purpose.

## AMENDMENT NO. 4546

On page 88, between lines 7 and 8, insert the following:

SEC. 8099. None of the funds appropriated or otherwise made available by this Act for the procurement of F/A-18E/F aircraft may be obligated or expended for the procurement of such aircraft until the end of the 30-day period beginning on the date on which the Defense Acquisition Board makes the milestone decision for the F/A-18E/F program to enter into low-rate initial production.

## AMENDMENT NO. 4547

On page 88, between lines 7 and 8, insert the following:

SEC. 8099. (a) Not more than 90 percent of the funds appropriated or otherwise made available by this Act for the procurement of F/A-18E/F aircraft may be obligated or expended for the procurement of such aircraft until 30 days after the Secretary of Defense has submitted to the congressional defense committees a report on the F/A-18E/F aircraft which contains the following:

(A) A review of the F/A-18E/F aircraft program.

(B) An analysis and estimate of the production costs of the program for the total number of aircraft realistically expected to be procured at each of three annual production rates as follows:

(i) 18 aircraft.

(ii) 24 aircraft.

(iii) 36 aircraft.

(C) A comparison of the costs and benefits of the program with the costs and benefits of the F/A-18C/D aircraft program taking into account the operational combat effectiveness of the aircraft.

(b) In this section, the term "congressional defense committees" means the following:

(1) The Committees on Appropriations and Armed Services of the Senate.

(2) The Committees on Appropriations and National Security of the House of Representatives.

## FEINGOLD (AND OTHERS)

## AMENDMENT NO. 4546

(Ordered to lie on the table.)

Mr. FEINGOLD (for himself, Mr. BUMPERS, and Mr. KOHL) submitted an amendment intended to be proposed by them to the bill, S. 1894, supra; as follows:

On page 88, between lines 7 and 8, insert the following:

SEC. 8099. None of the funds appropriated or otherwise made available by this Act for the procurement of F/A-18E/F aircraft may be obligated or expended for the procurement of such aircraft until the end of the 30-day period beginning on the date on which the Defense Acquisition Board makes the milestone decision for the F/A-18E/F program to enter into low-rate initial production.

## BINGAMAN AMENDMENTS NOS.

## 4548-4549

(Ordered to lie on the table.)

Mr. BINGAMAN submitted two amendments intended to be proposed by him to the bill, S. 1894, supra; as follows:

## AMENDMENT NO. 4548

On page 70, line 8, strike out "\$1,218,000,000" and insert in lieu thereof "\$1,118,000,000".

## AMENDMENT NO. 4549

On page 30, line 13, insert before the period the following: "Provided, That, of such amount, \$10,000,000 is available for the United States-Japan Management Training Program".

## LAUTENBERG AMENDMENT NO.

## 4550

(Ordered to lie on the table.)

Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill, S. 1894, supra; as follows:

On page 88, between lines 7 and 8, insert the following:

SEC. 8099. (a) Not later than March 1, 1997, the Deputy Secretary of Defense shall submit to the Defense Committees a report on Department of Defense procurements of propellant raw materials.

(b) The report shall include the following:

(1) The projected future requirements of the Department of Defense for propellant raw materials, such as nitrocellulose.

(2) The capacity, ability, and production cost rates of the national technology and industrial base, including Government-owned, contractor-operated facilities, contractor-owned and -operated facilities, and Government-owned, Government-operated facilities, for meeting such requirements.

(3) The national security benefits of preserving in the national technology and industrial base contractor-owned and -operated facilities for producing propellant raw materials, including nitrocellulose.

(4) The extent to which the cost rates for production of nitrocellulose in Government-owned, contractor-operated facilities is lower because of the relationship of those facilities with the Department of Defense than such rates would be without that relationship.

(5) The advantages and disadvantages of permitting commercial facilities to compete for award of Department of Defense contracts for procurement of propellant raw materials, such as nitrocellulose.

#### REID AMENDMENTS NOS. 4551-4560

(Ordered to lie on the table.)

Mr. REID submitted 10 amendments intended to be proposed by him to the bill, S. 1894, supra; as follows:

##### AMENDMENT NO. 4551

On page 25, line 5, strike out "\$2,944,519,000" and insert in lieu thereof "\$2,897,119,000".

##### AMENDMENT NO. 4552

On page 25, line 5, strike out "\$2,944,519,000" and insert in lieu thereof "\$2,909,619,000".

##### AMENDMENT NO. 4553

On page 25, line 5, strike out "\$2,944,519,000" and insert in lieu thereof "\$2,917,619,000".

##### AMENDMENT NO. 4554

On page 25, line 5, strike out "\$2,944,519,000" and insert in lieu thereof "\$2,934,519,000".

##### AMENDMENT NO. 4555

On page 26, line 10, strike out "\$6,630,370,000" and insert in lieu thereof "\$5,955,132,000".

##### AMENDMENT NO. 4556

On page 26, line 10, strike out "\$6,630,370,000" and insert in lieu thereof "\$6,027,132,000".

##### AMENDMENT NO. 4557

On page 26, line 10, strike out "\$6,630,370,000" and insert in lieu thereof "\$6,237,132,000".

##### AMENDMENT NO. 4558

On page 26, line 10, strike out "\$6,630,370,000" and insert in lieu thereof "\$6,441,632,000".

##### AMENDMENT NO. 4559

On page 26, line 10, strike out "\$6,630,370,000" and insert in lieu thereof "\$6,522,970,000".

#### AMENDMENT NO. 4560

On page 25, line 5, strike out "\$2,944,519,000" and insert in lieu thereof "\$2,888,119,000".

#### GREGG AMENDMENT NO. 4561

(Ordered to lie on the table.)

Mr. GREGG submitted an amendment intended to be proposed by him to the bill, S. 1894, supra; as follows:

At the appropriate place, insert the following new section:

#### SEC. . CONGRESSIONAL, PRESIDENTIAL, AND JUDICIAL PENSION FORFEITURE.

(a) SHORT TITLE.—This section may be cited as the "Congressional, Presidential, and Judicial Pension Forfeiture Act".

(b) CONVICTION OF CERTAIN OFFENSES.—

(1) IN GENERAL.—Section 8312(a) of title 5, United States Code, is amended—

(A) by striking "or" at the end of paragraph (1);

(B) by striking the period at the end of paragraph (2) and inserting "; or";

(C) by adding after paragraph (2) the following new paragraph:

"(3) is convicted of an offense named by subsection (d), to the extent provided by that subsection.";

(D) by striking "and" at the end of subparagraph (A);

(E) by striking the period at the end of subparagraph (B) and inserting "; and"; and

(F) by adding after subparagraph (B) the following new subparagraph:

"(C) with respect to the offenses named by subsection (d) of this section, to the period after the date of the conviction.".

(2) IDENTIFICATION OF OFFENSES.—Section 8312 of title 5, United States Code, is amended—

(A) by redesignating subsection (d) as subsection (e); and

(B) by inserting after subsection (c) the following new subsection:

"(d)(1) The offenses under paragraph (2) are the offenses to which subsection (a) of this section applies, but only if—

"(A) the individual is convicted of such offense committed after the date of the enactment of the Congressional, Presidential, and Judicial Pension Forfeiture Act;

(B) the individual was a Member of Congress (including the Vice President), a congressional employee, or a Federal justice or judge at the time of committing the offense; and

"(C) the offense is punishable by imprisonment for more than 1 year.

"(2) The offenses under this paragraph are as follows:

"(A) An offense within the purview of—

"(i) section 201 of title 18 (bribery of public officials and witnesses);

"(ii) section 203 of title 18 (compensation to Members of Congress, officers, and others in matters affecting the Government);

"(iii) section 204 of title 18 (practice in United States Court of Federal Claims or the United States Court of Appeals for the Federal Circuit by Members of Congress);

"(iv) section 219 of title 18 (officers and employees acting as agents of foreign principals);

"(v) section 286 of title 18 (conspiracy to defraud the Government with respect to claims);

"(vi) section 287 of title 18 (false, fictitious, or fraudulent claims);

"(vii) section 371 of title 18 (conspiracy to commit offense or to defraud the United States);

"(viii) section 597 of title 18 (expenditures to influence voting);

"(ix) section 599 of title 18 (promise of appointment by candidate);

"(x) section 602 of title 18 (solicitation of political contributions);

"(xi) section 606 of title 18 (intimidation to secure political contributions);

"(xii) section 607 of title 18 (place of solicitation);

"(xiii) section 641 of title 18 (public money, property or records); or

"(xiv) section 1001 of title 18 (statements or entries generally).

"(B) Perjury committed under the statutes of the United States in falsely denying the commission of an act which constitutes an offense within the purview of a statute named by subparagraph (A).

"(C) Subornation of perjury committed in connection with the false denial of another individual as specified by subparagraph (B)."

(c) ABSENCE FROM THE UNITED STATES TO AVOID PROSECUTION.—

(1) IN GENERAL.—Section 8313 of title 5, United States Code, is amended—

(A) by redesignating subsection (b) as subsection (c); and

(B) by inserting after subsection (a) the following new subsection:

"(b) An individual, or his survivor or beneficiary, may not be paid annuity or retired pay on the basis of the service of the individual which is creditable toward the annuity or retired pay, subject to the exceptions in section 8311 (2) and (3) of this title, if the individual—

"(1) is under indictment, after the date of the enactment of the Congressional, Presidential, and Judicial Pension Forfeiture Act, for an offense named by section 8312(d)(2) of this title, but only if such offense satisfies section 8312(d)(1)(C) of this title;

"(2) willfully remains outside the United States, or its territories and possessions including the Commonwealth of Puerto Rico, for more than 1 year with knowledge of the indictment or charges, as the case may be; and

"(3) is an individual described in section 8312(d)(1)(B)."

(2) CONFORMING AMENDMENT.—Subsection (c) of section 8313 of title 5, United States Code (as redesignated under paragraph (1)(A)) is amended by inserting "or (b)" after "subsection (a)".

(d) REFUND OF CONTRIBUTIONS AND DEPOSITS.—Section 8316(b) of title 5, United States Code, is amended—

(1) by striking "or" at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting "; or"; and

(3) by adding at the end the following new paragraph:

"(3) if the individual was convicted of an offense named by section 8312(d) of this title, for the period after the conviction of the violation."

(e) FORFEITURE OF PRESIDENTIAL ALLOWANCE.—Subsection (a) of the first section of the Act entitled "An Act to provide retirement, clerical assistance, and free mailing privileges to former Presidents of the United States, and for other purposes", approved August 25, 1958 (Public Law 85-745; 72 Stat. 838; 3 U.S.C. 102 note) is amended—

(1) by striking "Each former President" and inserting "(1) Subject to paragraph (2), each former President"; and

(2) by inserting at the end the following new paragraph:

"(2) The allowance payable to an individual under paragraph (1) shall be forfeited if—

"(A) the individual is convicted of an offense described under section 8312(d)(2) of title 5, United States Code, committed after the date of the enactment of the Congressional, Presidential, and Judicial Pension Forfeiture Act;

"(B) such individual committed such offense during the individual's term of office as President; and